

THURSDAY, APRIL 6, 1989

THIRTIETH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Pat Allison, Pastor, Bel Aire Church of Christ, Manchester, Tennessee.

Representative Lane Curlee led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

REGULAR CALENDAR

House Bill No. 0408 -- Drivers' Licenses -- Eliminates oath requirement for driver's license application. Amends TCA, Title 55, Ch. 7.

On motion, House Bill No. 408 was made to conform with Senate Bill No. 85.

On motion, Senate Bill No. 85, on same subject, was substituted for House Bill No. 408.

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Rep. C. Turner (Shelby) moved that Senate Bill No. 85 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Bill No. 0697 -- Probate Law -- Permits probate court clerk to issue summons to guardians by certified mail. Amends TCA 34-3-405.

On motion, House Bill No. 697 was made to conform with Senate Bill No. 73.

On motion, Senate Bill No. 73, on same subject, was substituted for House Bill No. 697.

Rep. C. Turner (Shelby) moved that Senate Bill No. 73 be passed on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 73 by deleting the amendatory language of SECTION 1 in its entirety and substituting instead the following:

A judge of the general sessions court when exercising jurisdiction pursuant to this part or when exercising concurrent jurisdiction with a court of record shall have the same power as a court of record to punish for contempt.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. C. Turner (Shelby) moved that Senate Bill No. 73, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 0867 -- Tort Liability -- Authorizes waiver of landowner's liability in certain circumstances. Amends TCA, Title 70, Ch. 7.

On motion, House Bill No. 867 was made to conform with Senate Bill No. 530.

On motion, Senate Bill No. 530, on same subject, was substituted for House Bill No. 867.

Rep. C. Turner (Shelby) moved that Senate Bill No. 530 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell,

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King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

*House Bill No. 0919 -- County Officers -- Permits persons other than sheriff to serve process for general sessions courts in certain counties. Amends TCA, Title 8; Ch. 8.

Rep. C. Turner (Shelby) moved that House Bill No. 919 be reset to the Calendar for Thursday, April 20, 1989, which motion prevailed.

*House Bill No. 0328 -- Alcoholic Beverages -- Excludes certain beverages or products from definition of alcoholic beverages. Amends TCA 57-3-101.

Rep. Severance moved that House Bill No. 328 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	70
Noes	23
Present and not voting	2

Representatives voting aye were: Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Collier, Curlee, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Hassell, Haun, Head, Henry (Roane), Hillis, Holcomb, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 70.

Representatives voting no were: Anderson, Callicott, Crain, Cross, Davidson, Davis (Gibson), Gunnels, Halteman, Harrill, Henry (Putnam), Hobbs, Holt, Jackson, McDaniel, Moody, Niceley, Pinion, Shirley, Sipes, Stallings, Stamps, Whitson, Wolfe -- 23.

Representatives present and not voting were: Herron, Odom -- 2.

A motion to reconsider was tabled.

House Bill No. 0726 -- Private Protective Services -- Exempts certain private business employees serving as security personnel from Private Protective Services Licensing and Regulatory Act. Amends TCA 62-35-103.

On motion, House Bill No. 726 was made to conform with Senate Bill No. 329.

On motion, Senate Bill No. 329, on same subject, was substituted for House Bill No. 726.

Rep. Bivens moved that Senate Bill No. 329 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Bill No. 0872 -- Civil Service -- Requires notice be given of civil service examinations. Amends TCA, Title 8, Ch. 30.

Rep. Shirley moved that House Bill No. 872 be reset to the Calendar for Wednesday, April 12, 1989, which motion prevailed.

*House Bill No. 0193 -- Boards and Commissions -- Revises certain penalties imposed by certain agencies, boards, and commissions. Amends TCA, Title 4, Ch. 3, Pt. 13; Title 56, Ch. 1, Pt. 3; Titles 62, 63.

Rep. Scruggs moved that House Bill No. 193 be passed on third and final consideration.

Rep. Rhinehart moved to amend as follows:

Amendment No. 1

Amend House Bill No. 193 by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 56-1-308, is amended by deleting the section in its entirety and by substituting instead the following:

Section 56-1-308. (a) With respect to any person required to be licensed, permitted, or authorized by any board, commission, or agency attached to the division of regulatory boards, each respective board, commission or agency may assess a civil penalty against such person in an amount not to exceed one thousand dollars (\$1,000) for each separate violation of a statute, rule, or order pertaining to such board, commission, or agency. Each day of continued violation shall constitute a separate violation.

(b) Each board, commission, or agency shall by rule establish a schedule designating the minimum and maximum civil penalties which may be assessed under this section. In assessing civil penalties, the following factors may be considered:

(1) Whether the amount imposed will be a substantial economic deterrent to the violator;

(2) The circumstances leading to the violation;

(3) The severity of the violation and the risk of harm to the public;

(4) The economic benefits gained by the violator as a result of non-compliance; and

(5) The interest of the public.

(c) Civil penalties assessed pursuant to this act shall become final thirty (30) days after the date a final order of assessment is served. If the violator fails to pay an assessment when it becomes final, the division may apply to the appropriate court for a judgment and seek execution of such judgment. Jurisdiction for recovery of such penalties shall be

Rep. Scruggs moved that House Bill No. 193 be passed on third and final consideration.

Rep. Rhinehart moved to amend as follows:

Amendment No. 1

Amend House Bill No. 193 by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 56-1-308, is amended by deleting the section in its entirety and by substituting instead the following:

Section 56-1-308. (a) With respect to any person required to be licensed, permitted, or authorized by any board, commission, or agency attached to the division of regulatory boards, each respective board, commission or agency may assess a civil penalty against such person in an amount not to exceed one thousand dollars (\$1,000) for each separate violation of a statute, rule, or order pertaining to such board, commission, or agency. Each day of continued violation shall constitute a separate violation.

(b) Each board, commission, or agency shall by rule establish a schedule designating the minimum and maximum civil penalties which may be assessed under this section. In assessing civil penalties, the following factors may be considered:

(1) Whether the amount imposed will be a substantial economic deterrent to the violator;

(2) The circumstances leading to the violation;

(3) The severity of the violation and the risk of harm to the public;

(4) The economic benefits gained by the violator as a result of non-compliance; and

(5) The interest of the public.

(c) Civil penalties assessed pursuant to this act shall become final thirty (30) days after the date a final order of assessment is served. If the violator fails to pay an assessment when it becomes final, the division may apply to the appropriate court for a judgment and seek execution of such judgment. Jurisdiction for recovery of such penalties shall be

(d) All sums recovered pursuant to this section shall be paid into the state treasury.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved to amend as follows:

Amendment No. 2

Amend House Bill No. 193 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 56-1-302, is amended by adding the following new item:

() (A) To issue monthly a press release containing a disciplinary report which shall list all disciplinary actions taken by each board during the prior month. The report shall list, by board, the following:

(i) Name and professional address of any person disciplined the prior month;

(ii) Disciplinary action taken; and

(iii) Any civil penalty imposed, if such penalty exceeds five hundred dollars (\$500).

(B) The disciplinary report for the prior month shall be made available to newspapers of general circulation in each of the state's metropolitan areas, Nashville, Memphis, Knoxville, Chattanooga, and the tri-cities area composed of Bristol, Johnson City, and Kingsport, by the 15th of each following month.

Section _____. Tennessee Code Annotated, Section 68-1-101(8), is amended by adding the following new item:

() (A) The division of health related boards shall issue monthly a press release containing a disciplinary report which shall list all disciplinary actions taken by each board during the prior month. The report shall list, by board, the following:

(i) Name and professional address of any person disciplined the prior month;

(ii) Disciplinary action taken; and

(iii) Any civil penalty imposed, if such penalty exceeds five hundred dollars (\$500).

(B) The disciplinary report for the prior month shall be made available to newspapers of general circulation in each of the state's metropolitan areas, Nashville, Memphis, Knoxville, Chattanooga, and the tri-cities area composed of Bristol, Johnson City, and Kingsport, by the 15th of each following month.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Scruggs moved that House Bill No. 193, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Bill No. 1090 -- Courts, Municipal -- Authorizes election of city court judges. Amends TCA, Titles 6, 16.

Rep. Wood moved that House Bill No. 1090 be passed on third and final consideration.

Rep. Hobbs moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1090 by deleting subdivision (1) of Section 1 and substituting the following:

At the first regular city election held after January 1, 1990, the city judge shall be elected by majority of the qualified voters of the city for a term of eight (8) years. In cities with a population of five thousand (5,000) or more, according to the 1980 federal census or any subsequent federal census, a judge shall be a licensed attorney authorized to practice in the courts of this state. In cities with a population of less than five thousand (5,000), according to the 1980 federal census or any subsequent federal census, the requirement that the judge be a licensed attorney is waived in lieu of holding a Baccalaureate Degree from an accredited college or university. The city judge shall receive such compensation as the governing body of the city may establish by ordinance. Provided, however, such compensation shall not be altered for the term for which the city judge is elected.

Rep. Hobbs moved to withdraw Amendment No. 1, which motion prevailed.

Rep. Wood moved that House Bill No. 1090 be reset to the Calendar for Thursday, April 13, 1989, which motion prevailed.

*House Bill No. 0625 -- Correctional Programs -- Establishes alternate incarceration program for certain felony offenders. Amends TCA, Title 40.

Rep. Naifeh moved that House Bill No. 625 be passed on third and final consideration.

Rep. Naifeh moved to amend as follows:

Amendment No. 1

AMEND House Bill No. 625 by inserting in the first sentence of Section 2 between the words "that an offender" and "is sentenced to" the words "who is not more than twenty-five (25) years of age".

AND FURTHER AMEND by adding the following to the end of Section 2:

Any treatment programs offered for such offenders shall only be conducted after six o'clock (6:00 p.m.), Monday through Friday.

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On motion, Amendment No. 1 was adopted.

(Thereupon, Rep. Naifeh moved that House Bill No. 625, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duery, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

*House Bill No. 1251 -- Economic and Community Development -- Revises definition of "project" undertaken by industrial development corporations. Amends TCA 7-53-101.

Rep. Givens moved that House Bill No. 1251 be passed on third and final consideration.

Rep. Givens moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1251 by deleting the figure "5-53-102" from the amendatory language of Section 1 and by substituting instead the figure "7-53-102".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Givens moved that House Bill No. 1251, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 1165 -- Real Property -- Removes former owner's right of first refusal on real property disposed of by department of transportation. Amends TCA, Title 12, Ch. 2.

Rep. U. Jones moved that House Bill No. 1165 be reset to the Calendar for Thursday, April 13, 1989, which motion prevailed.

RULES SUSPENDED

Rep. Shirley moved that the rules be suspended for the purpose of introducing House Resolution No. 17 out of order, which motion prevailed.

House Resolution No. 0017 -- Memorials, Retirement -- Honors M. Vadine Mullins on the occasion of her retirement. by *Shirley.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Shirley, the resolution was adopted.

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

*House Bill No. 0096 -- Law Enforcement -- Authorizes law enforcement vehicles to use red lights in combination with blue; restricts use of blue lights. Amends TCA 55-8-108, 55-9-402, 414.

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Further consideration of House Bill No. 96, previously considered on April 3, 1989, at which time it was reset to the Calendar for April 6, 1989.

Rep. Wix moved that House Bill No. 96 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	79
Noes.	18

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Givens, Good, Halteman, Head, Henry (Roane), Herron, Hillis, Hobbs, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Mr. Speaker Murray -- 79.

Representatives voting no were: Bragg, Chiles, Copeland, Duer, Gunnels, Harrill, Hassell, Haun, Hawkins, Henry (Putnam), Holcomb, Moody, Scruggs, Turner, C. (Shelby), Whitson, Wolfe, Wood, Yelton -- 18.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

April 6, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 202; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REGULAR CALENDAR, CONTINUED

House Bill No. 0097 -- Police -- Clarifies maximum number of hours which may be worked pursuant to definition of part time police officer. Amends TCA 38-8-101.

On motion, House Bill No. 97 was made to conform with Senate Bill No. 202.

On motion, Senate Bill No. 202, on same subject, was substituted for House Bill No. 97.

Rep. Wix moved that Senate Bill No. 202 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 0412 -- Alcoholic Beverages -- Permits sale through locked, in room dispensers in hotels and motels. Amends TCA 57-4-203; Title 57, Ch. 5, Pt. 1.

On motion, House Bill No. 412 was made to conform with Senate Bill No. 439.

On motion, Senate Bill No. 439, on same subject, was substituted for House Bill No. 412.

Rep. Purcell moved that Senate Bill No. 439 be passed on third and final consideration.

Rep. Bivens moved the previous question, which motion prevailed by the following vote:

Ayes	81
Noes	9
Present and not voting	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Herron, Hillis, Holcomb, Holt, Hubbard, Jackson, Jones, U. (Shelby), Kent, King, Kisber, Love, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Pinion,

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Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Yelton, Mr. Speaker Murray -- 81.

Representatives voting no were: Ellis, Givens, Henry (Roane), Jones, R. (Shelby), Kernell, Peroulas, Shirley, Stamps, Wood -- 9.

Representatives present and not voting were: Hobbs -- 1.

Thereupon, Rep. Purcell moved that Senate Bill No. 439 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	50
Noes	43

Representatives voting aye were: Armstrong, Bittle, Bivens, Bragg, Buck, Burnett, Cain, Chiles, Clark, Collier, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Harrill, Haun, Head, Hillis, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nuber, Odom, Pruitt, Purcell, Rhinehart, Robinson (Hamilton), Scruggs, Severance, Starnes, Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Yelton, Mr. Speaker Murray -- 50.

Representatives voting no were: Anderson, Bell, Byrd, Callicott, Coffey, Copeland, Crain, Cross, Curlee, Davidson, Davis (Gibson), Ellis, Givens, Gunnels, Halteman, Hassell, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, McAfee, McDaniel, Miller, Napier, Niceley, Peroulas, Pinion, Ridgeway, Robinson (Davidson), Shirley, Sipes, Stallings, Stamps, Turner, C. (Shelby), Ussery, Winningham, Wix, Wolfe, Wood -- 43.

A motion to reconsider was tabled.

House Bill No. 0422 -- Fees -- Allows vehicle auction businesses to obtain special license plates in certain circumstances; sets a flat fee for special mail orders of both license plates and decals. Amends TCA, Title 55, Ch. 4.

On motion, House Bill No. 422 was made to conform with Senate Bill No. 21.

On motion, Senate Bill No. 21, on same subject, was substituted for House Bill No. 422.

Rep. Miller moved that Senate Bill No. 21 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. 89
 Noes. 4

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Coker), Davis (Gibson), Davis (Knox), DePriest, Dixon, Duer, Ellis, Gaia, Givens, Good, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 89.

Representatives voting no were: Halteman, Niceley, Sipes, Stamps -- 4.

A motion to reconsider was tabled.

House Bill No. 0773 -- Municipal Government -- Permits certain local governments to cooperate for supplying services. Amends TCA 5-1-113.

Rep. Bell moved that House Bill No. 773 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend House Bill No. 773 by deleting Section 1 and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 5-1-113, is amended by deleting the section in its entirety and by substituting instead the following:

The county legislative body of any county and the chief legislative body of any one (1) or more municipalities lying within the boundaries of the county are authorized and empowered to enter into any such agreements, compacts, or contractual relations as may be desirable or necessary for the purpose of permitting the county and the municipality or municipalities to conduct, operate, or maintain, either jointly or otherwise, desirable and necessary services or functions, under such terms as may be agreed upon by the county legislative body and the

chief legislative body of the municipality or the
chief legislative bodies of the municipalities.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Bell moved that House Bill No. 773, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Joint Resolution No. 0209 -- Memorials, Public Service -- Honors William Winfield (Billy) Bingham Sr., Bedford County Judge.

House Joint Resolution No. 0212 -- Memorials, Personal Achievement -- Congratulates Lynette Walton on contribution to Youth Art Month All-State Exhibit.

House Joint Resolution No. 0213 -- Memorials, Personal Achievement -- Congratulates James Patrick Walker on contribution to Youth Art Month All-State Exhibit.

House Joint Resolution No. 0214 -- Memorials, Personal Achievement -- Congratulates Nic Arras on contribution to Youth Art Month All-State Exhibit.

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House Joint Resolution No. 0215 -- Memorials, Personal Achievement -- Congratulates Joshua Collier on contribution to Youth Art Month All-State Exhibit.

House Joint Resolution No. 0216 -- Memorials, Personal Achievement -- Congratulates Tabatha Crider on contribution to Youth Art Month All-State Exhibit.

House Joint Resolution No. 0217 -- Memorials, Personal Achievement -- Congratulates Jason Shelton on contribution to Youth Art Month All-State Exhibit.

House Joint Resolution No. 0218 -- Memorials, Personal Achievement -- Congratulates Tena Lumley on contribution to Youth Art Month All-State Exhibit.

House Joint Resolution No. 0219 -- Memorials, Personal Achievement -- Congratulates Jimmy Davis on contribution to Youth Art Month All-State Exhibit.

House Joint Resolution No. 0220 -- Memorials, Personal Achievement -- Congratulates Ronnie Rogers on contribution to Youth Art Month All State Exhibit.

House Joint Resolution No. 0221 -- Memorials, Personal Achievement -- Congratulates Arlene Blazo on contribution to Youth Art Month All-State Exhibit.

House Joint Resolution No. 0222 -- Memorials, Personal Achievement -- Congratulates Tommy Mathis on contribution to Youth Art Month All-State Exhibit.

House Joint Resolution No. 0223 -- Memorials, Personal Achievement -- Congratulates William Patrick Bracy on Eagle Scout award.

House Joint Resolution No. 0225 -- Memorials, Sports -- Congratulates Cookeville High School boys' basketball team on winning District 7 AAA championship.

Senate Joint Resolution No. 0174 -- Memorials, Sports -- Congratulates Germantown High School freshmen cheerleaders on capturing national cheerleading title in junior high division.

Rep. Kisber moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

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Ayes. 97
Noes. 0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kennell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

MESSAGE FROM THE SENATE

April 6, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 191, adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

RULES SUSPENDED

Rep. Naifeh moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 191 out of order, which motion prevailed.

Senate Joint Resolution No. 0191 -- Memorials, Personal Occasion -- Honors Betty Whitt Matthews on the occasion of her 100th birthday.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Naifeh, the resolution was concurred in.

A motion to reconsider was tabled.

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SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 625: Rep(s). Jackson and Kernell added as prime sponsor(s).

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on House Bill No. 328 and have this statement entered in the Journal.

Rep. Lane Curlee

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 0228 -- Memorials, Government Officials -- Requests commissioners to study use of emergency call boxes. by *Bragg.

The Speaker referred House Joint Resolution No. 228 to the Transportation Committee.

House Joint Resolution No. 0229 -- Memorials, Personal Achievement -- Congratulates Jason Lynn Holt on winning the Hamblen County Spelling Bee. by *Moody.

The Speaker referred House Joint Resolution No. 229 to the Calendar and Rules Committee.

House Joint Resolution No. 0230 -- General Assembly, Studies -- Directs Select Oversight Committee on Education to study requirement of identification cards for children in grades K-12. by *McAfee, *Wood, *Robinson C. B., *Davidson.

The Speaker referred House Joint Resolution No. 230 to the Education Committee.

House Joint Resolution No. 0233 -- Memorials, Congratulations -- Congratulates Woodbury Church of Christ on 100th anniversary. by *Buck.

The Speaker referred House Joint Resolution No. 233 to the Calendar and Rules Committee.

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**SENATE JOINT RESOLUTIONS:
(Congratulatory and Memorializing)**

Senate Joint Resolution No. 0186 -- Memorials, Personal Occasion
-- Congratulates Mr. and Mrs. Claude Lombardino on the birth of their son Joshua Eugene Lombardino.

The Speaker referred Senate Joint Resolution No. 186 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0187 -- Memorials, Personal Occasion
-- Congratulates Mr. and Mrs. Percy H. Harvey on their infant daughter, Nicole Elizabeth Prater Harvey.

The Speaker referred Senate Joint Resolution No. 187 to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

House Bill No. 1480 -- Highway Signs -- Directs commissioner of transportation to erect signs for Cordell Hull birthplace. by *Winningham.

Passed first consideration.

House Bill No. 1481 -- Crockett County -- Permits public election of school board members. by *Holt.

Passed first consideration.

House Bill No. 1482 -- Van Buren County -- Authorizes Van Buren county board of education to establish opening date of school term. by *Rhinehart.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

***Senate Bill No. 0087 -- Criminal Offenses** -- Requires return of confiscated firearm to defendant in misdemeanor case who completes pretrial diversion program. Amends TCA, Title 39, Ch. 6, Pt. 17.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1147.

***Senate Bill No. 0369 -- Drug and Alcohol Rehabilitation** -- Establishes a comprehensive, culturally relevant, drug and alcohol abuse prevention, pilot program for minority community. Amends TCA, Titles 33, 68.

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Held on the Clerk's desk pending third consideration of companion House Bill No. 265.

Senate Bill No. 0372 -- Medicare and Medicaid -- Increases the uncompensated value of resources for the determination of eligibility to receive medical assistance. Amends TCA 71-5-106.

Held on the Clerk's desk pending third consideration of companion House Bill No. 178.

***Senate Bill No. 0620 -- Loan Companies** -- Revises maximum effective interest rate and service charge on loans; revises manner in which service charge is imposed and refunds calculated on certain loans. Amends TCA 45-5-301, 45-5-401--403.

Held on the Clerk's desk pending third consideration of companion House Bill No. 438.

***Senate Bill No. 1081 -- Partnerships** -- Revises provisions of limited partnership law. Amends TCA, Title 61, Ch. 2, Pt. 1.

Held on the Clerk's desk pending third consideration of companion House Bill No. 929.

Senate Bill No. 1182 -- Custody and Support -- Creates procedure for implementation of federal child support guidelines. Amends TCA, Title 36, Chs. 2, 5; Title 37, Ch. 1, Pt. 1; Title 39, Ch. 4, Pt. 1.

Held on the Clerk's desk pending third consideration of companion House Bill No. 647.

Senate Bill No. 1493 -- Lauderdale County -- Authorizes General Hospital District to operate long-term care facility or nursing home. Amends Chapter 190, Private Acts of 1961, as amended.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1475.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1476 -- School Districts, Special -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1477 -- Wayne County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1478 -- Taxes, Motor Vehicle -- Passed second consideration and referred to the Finance, Ways and Means Committee.

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House Bill No. 1479 -- Baxter -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

ENROLLED BILLS

April 6, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 194, 210 and 227; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED

April 6, 1989

The Speaker announced that he had signed the following: House Joint Resolutions No(s). 194, 210 and 227.

MESSAGE FROM THE SENATE

April 6, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 363, 651, 654, 655 and 776; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 6, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 194, 210 and 227; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 6, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 194, 210 and 227; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

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MESSAGE FROM THE SENATE

April 6, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 36 and 180; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

April 6, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 96, 193 and 328; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 6, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 192, 195 and 197; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 6, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 59, 734 and 899; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

April 6, 1989

The Speaker announced that he had signed the following: Senate Joint Resolution(s) No(s). 36 and 180.

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MESSAGE FROM THE SENATE

April 6, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 620; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 6, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1077, 1078, 1297, 1443, 1466 and 1469; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 6, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 174 and 191; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

April 6, 1989

The Speaker announced that he had signed the following: Senate Joint Resolution(s) No(s). 174 and 191.

ENGROSSED BILLS

April 6, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 625, 773 and 1251; and House Joint Resolution(s) No(s). 209, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223 and 225; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

THURSDAY, APRIL 6, 1989 -- THIRTIETH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

April 6, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 269; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 6, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 427, 475, 531, 551, 658, 720, 748, 791, 871, 1039, 1204 and 1432; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 0427 -- District Attorneys -- Revises staffing formula for district attorneys general. Amends TCA 16-2-506, 508.

*Senate Bill No. 0475 -- Bad Checks -- Clarifies handling fee which municipal or county officer may impose on bad checks. Amends TCA 9-1-109.

*Senate Bill No. 0531 -- Civil Procedure -- Limits time within which to bring suit on contract in certain circumstances. Amends TCA 28-1-105.

*Senate Bill No. 0551 -- Public Service Commission -- Sets schedule of increases for certain motor carrier permits. Amends TCA 65-15-116.

Senate Bill No. 658 -- Election Laws -- Removes language which prohibits corporate contributions on any proposition submitted to vote of people. Amends TCA 2-19-132.

*Senate Bill No. 0720 -- Surplus Property -- Authorizes local government to give surplus personal property to another local government. Amends TCA, Title 12, Ch. 3.

*Senate Bill No. 0748 -- Utilities, Utility Districts -- Authorizes board of commissioners in utility district in certain counties to be appointed by county executive; provides for per diem payment for members. Amends TCA, Title 7, Ch. 82.

Senate Bill No. 0791 -- Taxes, Excise -- Exempts sale of certain livestock. Amends TCA, Title 67, Ch. 4.

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*Senate Bill No. 0871 -- Firearms and Ammunition -- Permits judges to carry weapons. Amends TCA, Title 39, Ch. 6.

*Senate Bill No. 1039 -- Adoption -- Deletes requirement that final order of adoption be entered within two years of filing of petition. Amends TCA 36-1-124.

Senate Bill No. 1204 -- Telecommunications -- Revises taxation of telecommunications industry. Amends TCA, Title 65, Ch. 5, Pt. 2, 65-29-129, 67-5-501, 67-5-1302, 67-6-102; Title 67, Ch. 6, Pt. 3, 67-6-313, 67-6-507. Repeals TCA 67-4-407.

Senate Bill No. 1432 -- Judicial Districts -- Updates law relative to number of judges to which tenth judicial district is entitled. Amends TCA 16-2-506.

MESSAGE FROM THE SENATE

April 6, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 177 and 178; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0177 -- Memorials, Sports -- Honors John Robert Bell on induction in Tennessee Sports Hall of Fame.

Senate Joint Resolution No. 0178 -- Memorials -- Welcomes David Mookken and India's Women's Team to District 678.

MESSAGE FROM THE SENATE

April 6, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 700; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 6, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 13, 241, 462, 493, 567, 808 and 1241; also, Senate Joint Resolution(s) No(s). 155, 156, 157, 158, 159, 160, 161, 162,

THURSDAY, APRIL 6, 1989 -- THIRTIETH LEGISLATIVE DAY

163, 165, 166, 167, 168, 169 and 172; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS
April 6, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 59, 335, 363, 368, 638, 651, 654, 655, 700, 734, 776, 811, 899, 1077, 1078, 1208, 1297, 1443, 1452, 1457, 1465, 1466 and 1469; House Joint Resolution(s) No(s). 192, 195 and 197, and House Resolution(s) No(s). 17; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED
April 6, 1989

The Speaker announced that he had signed the following: House Resolution(s) No(s). 17.

SIGNED
April 6, 1989

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 13, 241, 462, 493, 567, 808 and 1241; and Senate Joint Resolution(s) No(s). 155, 156, 157, 158, 159, 160, 161, 162, 163, 165, 166, 167, 168, 169 and 172.

REPORT OF COMMITTEE ON CALENDAR AND RULES
April 6, 1989

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, April 13, 1989: House Bill(s) No(s). 911, 359, 1309, 1063, 1075, 166, 178, 857, 361, 1359, 1361, 1353, 646, 684, 649, 823 and 797.

PHILLIPS, Chairman.

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LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
April 6, 1989

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1476, 1477 and 1479.

REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
April 6, 1989

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, April 10, 1989: House Bill(s) No(s). 1310, 1062, 652, 1383, 1384 and 358; House Joint Resolution(s) No(s). 229 and 233; House Bill(s) No(s). 1476, 1477 and 1479; and Senate Joint Resolution(s) No(s). 186 and 187.

PHILLIPS, Chairman.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odum, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

On motion of Rep. Naifeh, the House adjourned until 5:00 p.m., Monday, April 10, 1989.